Remarks

The Examiner's Office action mailed November 23, 2009, which rejected pending claims 1-10 and 12-17, has been reviewed. Claims 1-10 and 12-16 have been amended and claim 17 has been cancelled. In view of the following remarks, Applicants respectfully submit that the application is in condition for allowance.

Claim Rejections Under 35 U.S.C. § 112

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants submit that amended claim 1 is in compliance with 35 U.S.C. § 112, second paragraph.

In the Office action, the Examiner asserts that the portion of claim 1 that reads "at least a portion of the retrieved data being common to a second software component" is not clear. (See Office action, page 2.) Amended claim 1 now recites, in part, "at least a portion of the retrieved data comprising common data, the common data being used by the first software component and a second software component." As described in the present application, "a wireless device may be provided with data linking capabilities for integrating one or more of various plugins/channels or applications on the wireless device 120. The phrase "data linking" refers to the wireless device 120 (or application running on the wireless device 120) having the capability to link data between or exchange data with multiple resources on the wireless device 120, including between an application launcher and an application or plugin/channel in an application, between a plugin/channel and another plugin/channel in the same or different application, between an application (or any plugin/ channel within the application) and other applications (e.g., 3rd party software) on the wireless device 120, or some combination of these exchanges. This allows a user to seamlessly move from one software component to another where the data used overlaps (*e.g. to only have to enter common data once which is forwarded between software components*)." (See Application, paragraph 53.) (Emphasis Added.) Thus, the at least a portion of the data being common to a second software component referred to common data that is used by both the first and second software components.

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The Examiner also asserts that the portion of claim 1 that reads "initiating a call by the first software component to load the second software component" is not clear. In particular, the Examiner asserts that the step of selecting the second software component has been eliminated from the claim language. (See Office action, page 3.) Amended claim 1 now recites, in part, "receiving input selecting the second software component at the portable device." Support for this amendment to claim 1 can be found at paragraph 61 ("At some point during operation of the first software component, an application (e.g., the first software component itself) on the wireless device 120 may initiate a call to load a second software component. As an example, a user viewing an address in a 411 plugin/channel (a first software component) *may select* "MapIt" for a mapping/driving direction plugin/channel (a second software component)"). (Emphasis Added.) Applicants submit that amended claim 1 is in compliance with 35 U.S.C. § 112, second paragraph, and request that the rejection of claim 1 be removed.

Claim 6 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, the Examiner asserts that the portion of claim 6 that reads "a list of software components that utilize common data retrieved from the service provider for the first software component" is not clear. (See Office action, page 4.) Applicants submit that amended claim 6 complies with 35 U.S.C. § 112, second paragraph.

Amended claim 6 recites "displaying a list of software components that utilize the common data retrieved from the service provider for the first software component." As described in the application, "the present invention is directed at features involving the noted launcher software component. In particular, the launcher may serve as (i) an aggregator, or framework, to manage, *present*, launch and close *all plugins* ...." (See application, paragraph 65.) (Emphasis Added.) Also, as the Examiner pointed out in the Office action, the application further provides "This allows the user to view the content in the plugin/channel and return to the plugin/channel list in the launcher. In other words, the launcher presents the plugins/ channels buttons, then when clicked, the plugin/channel is launched, when the plugin/channel is closed, the user returns to a default plugin/channel or list of plugins/channels." (See Application, paragraph 65.)

Moreover, amended claim 1 recites at least a portion of the retrieved data comprising *common data*, the *common data* being used by the first software component and to a second software component. The common data in amended claim 1 provides antecedent basis for "the

common data" in claim 6. Applicants note that the amendment to claim 6 only involved adding the term "the" before the terms "common data."

Also "In establishing a disclosure, applicant may rely not only on the description and drawing as filed but also on the original claims if their content justifies it." (See MPEP 608.01(l).) Applicants note that original claim 6 discloses displaying a list of software components that utilize common data retrieved from the service provider for the first software component.

In view of amended claim 1 and the original disclosure of claim 6, Applicants submit that amended claim 6 particularly points out and distinctly claims the subject matter the Applicants regard as the invention. Accordingly, claim 6 complies with 35 U.S.C. § 112, second paragraph, and Applicants request that the rejection of claim 6 be removed.

<div align="center">Claim Rejections Under 35 U.S.C. § 102</div>

The Examiner rejected claim 1 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,446,111, issued to Lowery ("Lowery"). Applicants submit that Lowery fails to disclose, teach, or suggest each and every element of Applicant's claims and, thus, Lowery is not an anticipatory reference under 35 U.S.C. § 102(b).

MPEP 2131 states: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). A claim cannot be rejected under 35 U.S.C. § 102 unless each and every claim limitation is found in the cited reference.

Moreover, unless a reference discloses within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim, it cannot be said to prove prior invention of the thing claimed and, thus, cannot anticipate under 35 U.S.C. § 102. *Net MoneyIn, Inc. v. Verisign, Inc*. 545 F.3d 1359 (Fed Cir. 2008).

The following is amended independent claim 1 with underlined portions that are not disclosed, taught, or suggested by the cited reference.

1. A method of exchanging data between software components on a portable device, comprising:

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loading a first software component using the portable device;

retrieving data from a service provider for the first software component, at least a
portion of the retrieved data comprising common data, the common data
being used by the first software component and a second software
component;

receiving input selecting the second software component at the portable device;

initiating a call by the first software component to load the second software
component in response to the input;

loading the second software component; and

exchanging the common data between the second software component and the
first software component.

Applicants submit that Lowery fails to disclose, teach, or suggest retrieving data from a service provider for the first software component, at least a portion of the retrieved data comprising common data, the common data being used by the first software component and a second software component. As described above, the present application describes allowing a user to seamlessly move from one software component to another where the data used overlaps (e.g. to only have to enter *common data* once which is forwarded between software components). (See Application, paragraph 53.) As another example, the present application provides:

> "At some point during operation of the first software component, an application (e.g., the first software component itself) on the wireless device 120 may initiate a call to load a second software component. As an example, a user viewing an address in a 411 plugin/channel (a first software component) may select "MapIt" for a mapping/driving direction plugin/channel (a second software component) as previously described in reference to FIG. 4H. In step 530, the second software component is then loaded in response to the call initiated in step 520."
> "During the loading of the second software component or after loading has occurred, linked data is exchanged between the second software component and the first software component—it may be forwarded from the first software component to the second software component or retrieved by the second software component from the first software component. As an example, the calendar/address book application (a first software component) may exchange address information (linked data) with the mapping/driving direction plugin/channel (a second software component). In this regard, it should be appreciated that in order for data linking to occur, at least a portion of the

data retrieved by the first software component must be linked to the second software component." (See Application, paragraphs 61-61)

In the Office action, the Examiner asserts that Lowery discloses "retrieving data from a service provider for the first software component, at least a portion of the retrieved data being common to a second software component." (See Office action, page 5.) In particular, the Examiner refers to Figure 2 and column 5, lines 1-42. Column 5, lines 1-42 of Lowery states:

> To provide "dynamic" information, which is information that may be different for different clients and different users of clients, or to provide complex information, such as graphs and animations, typically requires the use of programs on the server external to the web page to change the web page for the different clients. Dynamic web pages may necessitate the inclusion of user or client specific information in the web page, providing animations on the web page, changing the appearance of the web page in response to the position of the cursor on the web page, or providing other suitable dynamic changes to the web page. For example, in order to include the name of a person accessing the web page using the web browser, the web server would have to use an additional, external program in addition to the web page. The external program would acquire the user's name, build a new web page incorporating that name, save that web page on the web server, and then send the newly created web page to the client.
> The external programs used to provide dynamic or complex web pages to clients have grown in ability and complexity and have resulted in the development of "plug-ins". Plug-ins are typically external modules or add-on programs run on the client which are used to provide various abilities, such as dynamic capabilities, to web pages. Plug-ins are typically attached or added to the web browser on the client and stored on the client so that the client may process and display the dynamic web page after the web page has been retrieved by the client. An example of a plug-in may comprise the Shockwave plug-in from Macromedia. In particular, Shockwave, when installed on a client, allows the viewing on the client of multimedia files and multimedia effects which are embedded as part of the web page.
> The added abilities provided by plug-ins are not free of effect on the client however. When the web browser encounters web content requiring a plug-in that the web browser has never before encountered, the needed plug-in is typically downloaded to the client from the server and added to the web browser on the client. In the future, when the client encounters web pages that include content that needs the newly added plug-in in order to be viewed, the web browser will be able to utilize the plug-ins' added functionality, but at the cost of having to continually devote space, in physical memory or on secondary storage, to storing the plug-in."

This portion of Lowery describes that a web server and plugins have been used to generate dynamic web pages. It also describes the disadvantages of plug-ins. However, it does not disclose retrieving data from a service provider for the first software component, at least a portion of the retrieved data being common data, the common data being used by the first

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software component and to a second software component. Applicants acknowledges that Lowery describes a needed plug-in is downloaded to the client from the server and the added to the web browser on the client, so when the client encounters web pages that include content that needs the newly added plug-in in order to be viewed, the web browser will be able to utilize the plug-ins' added functionality. However, adding a plug-in to a web browser on a client to view content on a web page is not the same as retrieving common data that is used by first and second software components. Moreover, Figure 2 does not illustrate at least a portion of the retrieved data comprises common data that is used by the first software component and the second software component.

The Examiner also asserts that Lowery discloses "initiating a call by the first software component to load the second software component." (See Office action, page 5.) In particular, the Examiner refers to column 5, lines 35-41 and states "When the web browser encounters web content requiring a plug-in that the web browser has never before encountered, the needed plug-in is typically downloaded to the client from the server and added to the web browser on the client. In the future, when the client encounters web pages that include content that needs the newly added plug-in in order to be viewed, the web browser will be able to utilize the plug-ins' added functionality, the web browser will call another plug-in (second software component) to fulfill the second functionality." (See Office action, page 5.) Applicants respectfully submit that Examiner has mischaracterized the teachings of Lowery.

According to Lowery, after the needed plug-in is downloaded to the client it is **added to the web browser**. Thus, the needed plug-in is not a separate software component. Rather, the functionality of the needed plug-in is added to the web browser so that "In the future, when the client encounters web pages that include content that needs the newly added plug-in in order to be viewed, *the web browser will be able to utilize the plug-ins' added functionality*. Thus, the web browser does not call a second software component, but rather executes functionality that was previously added to the web browser."

The Examiner also asserts that Lowery discloses "exchanging the common data between the second software component and the first software component". (See office action, page 6.) In particular, the Examiner states "the data can be exchanged based on different needs; also see description in column 15, lines 47-52, "The applet 26 may also be generated with the data items 28 represented as both pre-loaded elements 36 and updateable elements 38. Based on the request

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from the client 12 and the data items 28 collected in response to the request, the web server application 20 may dynamically determine whether or not the applet 26 should have updateable information in the form of the updateable elements 38." Further column 16, lines 15- 19, "The use of both pre-loaded elements 36 and updateable elements 38 also allows the client 12 to avoid resending duplicate data over the communications link 16 by updating only individual updateable elements 38 as needed.""" (See Office action, page 6.)

Regarding the pre-loaded elements and updateable elements, Lowery discloses "the server system associated with the bookseller may dynamically determine that the applet generated for the PalmPilot will comprise titles of all available books, the authors of such books, and the price of each book ("author-title-price information") as pre-loaded, non-updateable elements while also including updateable information representing the availability of each book, an excerpt and review of each book ("availability-excerpt-review information") as updateable elements. (See Lowery, column 13, line 59-67 and column 14, lines 1-5.)

Applicants submit that a web server that dynamically determines which elements of an applet correspond to updateable elements or non-updateable elements, is not the same as a first software component exchanging common data with a second software component. For example, Lowery does not disclose exchanging common data between a first applet and a second applet on the client.

For the reasons discussed above, Applicants submit that Lowery fails to teach each and every element of amended claim 1. Furthermore, Lowery not only fails to disclose all of the limitations claimed, but also fails to disclose all of the limitations arranged or combined in the same way. Thus, independent claim 1 is patentable over the Lowery reference.

<div align="center">Claims Rejections 35 U.S.C. §103</div>

The Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Lowery in view of U.S. Patent No. 6,55,054 to Reisman ("Reisman.") Applicants respectfully submit that whether considered alone or in combination, Lowery and Reisman fail to disclose, teach, or suggest all the features of the claimed invention. Thus, *prima facie* obviousness cannot be established. (See MPEP 2142 and 2143.)

Regarding claim 15, the Examiner acknowledges that Lowery does not teach providing a list of data available for the software component. However, the Examiner relies on Reisman to

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remedy this deficiency. Without admitting agreement with the Examiner's interpretation of Reisman as teaching group consisting of an excavation, a construction, a boring, and a trenching, Applicants points out that Reisman fails to remedy of the deficiencies of Lowery with respect to claim 1.

Claim 15 depends from claim 8, which depends from claim 1 and, thus, incorporates all the limitations of claim 1. Regarding claim 1, Reisman fails to teach the deficiencies of Lowery. Lowery and Reisman fail to disclose, teach, or suggest retrieving data from a service provider for the first software component, at least a portion of the retrieved data comprising common data, the common data being used by the first software component and a second software component. The cited references also fail to disclose, teach, or suggest initiating a call by the first software component to load the second software component in response to the received input. The cited references also fail to disclose, teach, or suggest exchanging the common data between the second software component and the first software component.

Accordingly, it is submitted that Lowery and Reisman, whether considered alone or in combination, fail to disclose, teach, or suggest each and every element of claim 1. Thus, independent claim 1 is patentable over the combination of Lowery and Reisman.

Because the claims depending directly or indirectly from the base claim include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Allowance of the dependent claims respectfully is requested.

Because the independent claims are believed patentable, it is not necessary to discuss patentable limitations of claims depending there from, the reference, or the rejections. The lack of a discussion of patentable limitations of those dependent claims should not be construed to mean that there are not patentable limitations in those dependent claims.

Further, all reasons for patentability of the independent and dependent claims have not necessarily been discussed herein. No implication or construction should be made therefore.
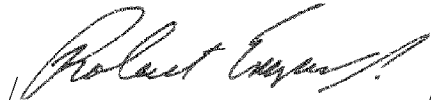
Applicants have no further remarks with regard to any references cited by the Examiner and made of record, whether or not acted upon by the Examiner in the action's rejections, even if specifically identified in the action or any other paper or written or verbal communication. No implication or construction should be drawn about any review of the same by Applicants or Applicants' attorney.

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Based on the foregoing, it is submitted that the Applicants' invention as defined by the claims is patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicants' attorney welcomes the opportunity to discuss the case with the Examiner in the event that there are any questions or comments regarding the response or the application.

This is intended to be a complete response to the Examiner's Office action mailed on November 23, 2009.

Respectfully submitted,
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